

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

In re:

DIAMONDHEAD CASINO CORPORATION,

Debtor.

Chapter 7

Case No. 24-11354 (JKS)

DEBORAH A. VITALE,

Appellant,

Case No.. 1:25-cv-01167-MN

v.

EDSON ARNEAULT, et al.,

Appellees.

**PETITIONING CREDITORS' DESIGNATION OF
ADDITIONAL ITEMS TO BE INCLUDED IN THE RECORD ON APPEAL**

Edson Arneault, Kathleen and James Devlin, J. Steven Emerson, Emerson Partners, J. Steven Emerson as Successor to the J. Steven Emerson Roth IRA, John Hawley as Servicing Agent for Argonaut 2000 Partners, L.P., Steven Rothstein, Barry and Irene Stark ("Petitioning Creditors"), pursuant to Federal Rule of Bankruptcy Procedure 8009 and Local Rule of Bankruptcy Procedure 8009-1, hereby submit this Designation of Additional Items to be Included in the Record on Appeal in the above-captioned appeal from the United State Bankruptcy Court for the District of Delaware.

DESIGNATION OF ITEMS TO BE INCLUDED IN THE RECORD ON APPEAL

	Bankr. D.I.	Date Filed	Title of Document
1	77	8/28/25	Omnibus Objection of Petitioning Creditors to: (A) Motion of "Alleged Debtor", Diamondhead Casino Corporation, to Vacate the Court's Opinion and Order

			Dated July 30, 2025 and Order dated July, 2025 and Dismiss the Involuntary Petition or, Alternatively, to Alter and Amend the Opinion and Orders [D.I. 63]; (B) Motion of the "Alleged Debtor", Diamondhead Casino Corporation for a Stay of the Court's Opinion [D.I. 42] and Order [D.I. 45] Dated July 31, 2025, Pending Resolution of the Appeal [D.I. 47]; (C) Motion of Deborah A. Vitale for Leave to Intervene and be Heard in the Above Captioned Case and Joinders to "Alleged Debtor" Diamondhead Casino Corporation's Motion to Vacate/Dismiss and Motion for Stay Pending Appeal [D.I. 55]
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**Certain Exhibits Admitted into Evidence at Trial Held on
December 4, 2024 and January 16, 2025**

Attachment	Trial Exhibit #	Docket Ref. (if applicable)	Date	Description
A	29	16	9/30/23 and 12/31/23	Diamondhead Form 10-Q Pages 1, 25-26 and DHCC Form 10-K
B	30	17	3/31/24	Diamondhead Form 10-Q
C	32		9/30/24	Diamondhead Form 10-Q
D	33		5/16/22	Land Deed of Trust (Tasselli)
E	53		9/20/23	Consent Judgment

ARMSTRONG TEASDALE LLP

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Dated: September 24, 2025
Wilmington, Delaware